



**WHEREFORE**, the Credit Union respectfully request that this Honorable Court enter an Order striking Exhibits 6, 8, 9, 10, 11, 12, 13, 14, 16, 18, 20, 21, 22, and 23 from the *Affidavit of Plaintiff, Pro Se, Richard Livingston (sic) Opposition to Defendants (sic), MBTA Employees Credit Union's Motion for Summary Judgment*.

**LR 7.1(A)(2) CERTIFICATION OF COUNSEL**

Pursuant to LR 7.1(A)(2), counsel certifies that he conferred with the *pro se* plaintiff and attempted in good faith to resolve or narrow the issue presented by this motion.

**MBTA EMPLOYEES CREDIT UNION,**  
By its attorneys,

/s/ Peter C. Netburn

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Dated: August 17, 2006

**CERTIFICATE OF SERVICE**

I hereby certify that this document filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF) and paper copies will be sent to those indicated as non-registered participants on August 17, 2006.

/s/ Eric C. Hipp

Eric C. Hipp